IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1707 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/08/2004 in WP NO : 14744 OF 2004 on the file of the High Court.)

Between:

National Co-operative Consumers Federation of India Ltd. Hyderabad, rep by its General Manager Sri M.A. Thomas

..... APPELLANT

AND

1 Sri Durga Malleswara Swamy Devasthanam Vijayawada, rep by its Executive Officer.
2 Commissioner of Endowments, Hyderabad.

.....RESPONDENT(S)

Counsel for the Appellant:MR.Y.RAMA RAO

Counsel for the Respondent Nos.1 and 2: GP FOR ENDOWMENTS

The Court made the following Oral Judgment: (per Sri Devinder Gupta,CJ)

The Board of Trustees of the 1st Respondent-Devaasthanam Trust, on 7.8.2004 have decided to procure Ghee from Vijaya Dairy saying that the Ghee of Vijaya Dairy was absolutely in order and suitable as cooking material for the Devasthanam Trust and that the decision not to purchase Ghee from the appellant was questioned in the impugned writ petition which was dismissed by the learned single judge on the ground that no right vested in the appellant to seek enforcement of the proceedings dated 15.7.2004 issued by the 2nd respondent.

The proceedings dated 15.7.2004 only permitted the 1st respondent-Devasthanam Trust to procure Ghee from the appellant. Merely that such permission was accorded, nothing in law prevented the 1st respondent from changing its mind and deciding to procure ghee from any other competitor.

The writ appeal is accordingly dismissed. No costs.

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DEVINDER GUPTA, CJ

Date: 8th November, 2004

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C.V.RAMULU,J

pnb

To

1 The Executive Officer,
Sri Durga Malleswara Swamy Devasthanam, Vijayawada.

2 The Commissioner of Endowments, Hyderabad.

3 Two C.Cs. to the Government Pleader for Endowments, High Court Buildings, Hyderabad. (OUT)

4 Two C.D. copies